

FILED
10/17/22 1:01 pm
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U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re: : Case No. 21-22494-GLT
:
JEROME J. NYPAVER : Chapter 13
:
:
Debtor. : Related to Dkt. No. 49
:
:

ORDER

This matter came before the Court upon consideration of the *Motion to File Claim After Claims Bar Date* [Dkt. No. 49] filed by creditor Lycaste LLC. Upon review, the Court finds that the motion does not meet the standard for a late-filed proof of claim. In a chapter 13 case, a proof of claim is timely if it is filed not later than 70 days after the order for relief under that chapter.¹ Absent applicability of any of the seven exceptions set forth in the bankruptcy rules governing time for filing proofs of claim, a bankruptcy court lacks authority to enlarge the time allowed for secured creditors to file a proof of claim in a chapter 13 case.² Lycaste LLC has not alleged the existence of any of the seven exceptions, nor does it appear that any apply. For the foregoing reasons it is hereby **ORDERED, ADJUDGED, and DECREED** that creditor Lycaste LLC's *Motion to File Claim After Claims Bar Date* [Dkt. No. 49] is **DENIED**. The hearing scheduled for November 2, 2022 is CANCELLED.

Dated: October 17, 2022



GREGORY J. TADDONA
CHIEF UNITED STATES BANKRUPTCY JUDGE

¹ See FED. R. BANKR. P. 3002(c)

² Id.; see also *In re Heyden*, 570 B.R. 489, 493 (Bkrtcy.W.D.Pa., 2017).

In re:
Jerome J. Nypaver
Debtor

Case No. 21-22494-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Oct 17, 2022

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 19, 2022:

Recip ID	Recipient Name and Address
db	+ Jerome J. Nypaver, 64 Oakland Avenue, Uniontown, PA 15401-2819
cr	+ Lycaste llc, 2003 Western Avenue, Suite 340, Seattle, WA 98121-2162

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 19, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 17, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Lycaste llc bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Cilici LLC bnicholas@kmlawgroup.com
Daniel R. White	on behalf of Debtor Jerome J. Nypaver lori@zeblaw.com;r63228@notify.bestcase.com;elisa@zeblaw.com
Denise Carlon	on behalf of Creditor Lycaste llc dcarlon@kmlawgroup.com
Denise Carlon	on behalf of Creditor Cilici LLC dcarlon@kmlawgroup.com

Office of the United States Trustee

District/off: 0315-2

User: auto

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Date Rcvd: Oct 17, 2022

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Total Noticed: 2

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

TOTAL: 7